

PATENT
S/N: 09/386,052

Docket No. 1232-4563

upon an attribute value to each item of the phoneme data on the basis of order obtained by sorting; and

code of a selection step of selecting, from the phoneme data retrieved at said retrieval step, and based upon the penalty assigned at said first penalty assigning step, phoneme data employed in synthesis of a speech waveform. --

REMARKS

Reconsideration of this application is respectfully requested in view of the foregoing amendments and the following remarks.

Claim Status

Claims 1-6, 8-17 and 19-24 are pending in this application and have been allowed as stated in the Notice of Allowance and Issue Fee Due, dated January 28, 2002.

By this Preliminary Amendment, new claims 25-27 are added.

New claims 25-27

New claim 25 is essentially claim 6 as originally filed, re-written in independent form. New claims 26 and 27 are corresponding method and computer medium claims.

Originally filed claim 6 was rejected in the Office Action of March 27, 2001 under 35 USC §103 as being unpatentable over Campbell in view of Manwaring et al. (USP 6,188,984).

Applicants respectfully submit that claim 6 as originally filed was in fact allowable over the cited art as Manwaring is not prior art against this application.

The Manwaring reference was filed on November 17, 1998. While the present application was filed on August 30, 1999, priority is claimed to Japanese application JP 10-245951, filed on August 31, 1998. Manwaring is thus not properly available as prior art to be

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applied against this application. A translation of the priority application is in the process of being prepared and will be submitted in this application in due course.

Consequently, Applicants respectfully submit that new claims 25-27 are allowable over the art of record taken alone or in combination.

Accordingly, Applicants respectfully submit that this application is in condition for allowance, which action is respectfully requested.

AUTHORIZATION

Should any additional fees be required for this Amendment, the Commissioner is hereby authorized to charge any such additional fees, or credit any overpayment to Deposit Account No. 13-4500, Order No. 1232-4563.

In the event that a telephone conference would facilitate prosecution of the instant application in any way, the Examiner is invited to contact the undersigned at the number provided.

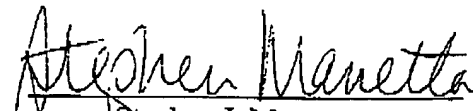
An early and favorable examination on the merits is respectfully requested.

Respectfully submitted,
MORGAN & FINNEGAN L.L.P.

Dated: May 14, 2002

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